

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

**UNITED STATES OF AMERICA,
Plaintiff,**

v.

**0.51071532 BITCOIN,
Defendant.**

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No. 6:22-CV- 00262

VERIFIED COMPLAINT FOR FORFEITURE

In accordance with Fed. R. Civ. P. Supplemental Rule G(2), the United States of America, Plaintiff, brings this complaint for forfeiture and alleges as follows:

NATURE OF ACTION

1. This matter is an *in rem* action brought against the following defendant property currently held in a Secret Service-controlled Bitcoin wallet¹:

0.51071532 Bitcoin (BTC) seized from Paxful, located at 33 Murray Street #37 in New York, New York, on May 21, 2022, worth \$14,976.19 USD at the time of transfer.

¹ This Secret Service wallet is Bitcoin Wallet identified as Oxdb326d856e1ce4EFed1cAD02891c5DFba558aC7C.

JURISDICTION AND VENUE

2. The Court has subject matter jurisdiction over an action commenced by the United States pursuant to 28 U.S.C. § 1345 and over an action for forfeiture pursuant to 28 U.S.C. § 1355(a).

3. The Court has *in rem* jurisdiction over the defendant property pursuant to 28 U.S.C. § 1355(b)(1)(A) because acts or omissions giving rise to the forfeiture occurred in the Eastern District of Texas.

4. Venue is proper pursuant to 28 U.S.C. §1355(b)(1)(A) because acts or omissions giving rise to the forfeiture occurred in the Eastern District of Texas.

FACTUAL BACKGROUND

5. Victim Robert Westlock, an 87-year-old man living in Tyler, Texas, fell prey to a cleverly designed international fraud scheme when he initiated transfer of 0.51071532 Bitcoin (then-worth approximately \$15,000 USD) via a Bitcoin ATM to Vineet Singh Banga, an individual located in India.

Mr. Westlock Falls Prey

6. On February 24, 2022, after experiencing chronic computer issues, Westlock saw what he perceived to be an advertisement for Microsoft

computer repair. Westlock called the number associated with the advertisement to arrange for such repair.

7. Westlock spoke with a man identifying himself as John Vimmamin, Microsoft computer technician I.D. # CVE20158636. Vimmamin informed Mr. Westlock that he needed to take preventative action to rid it of the “many scams” causing his computer trouble. Vimmamin suggested that Westlock contact “Peter Johnson,” a man he said worked with banks and the FBI to catch computer scammers, and indicated that Johnson would be able to help.

8. Westlock contacted Johnson, and Johnson presented the same story—that he was a reputable scam preventer and regularly assists both the FBI and financial institutions in their investigations.

9. Johnson told Westlock that he could catch the scammers who had infected his computer; all Westlock needed to do was provide \$30,000 USD worth of “bait money.” Johnson assured Westlock that he would get the money back as soon as the operation was complete.

10. Johnson asked Westlock to withdraw the money from his bank account and transfer it to him through a Bitcoin ATM. Johnson advised

Westlock to lie if a teller inquired about the withdrawal and say that he would use the money to purchase a vehicle. When Westlock expressed hesitation about the plan, Johnson informed him that the FBI would put out a warrant for his arrest if he did not send the money.

Mr. Westlock Initiates Bitcoin Transfer

11. Following this threat, Westlock went to the Chapel Hill branch of American State Bank on February 24, 2022 and withdrew \$30,000 from his account there.

12. On February 26, Westlock visited the Valero station at 3801 Chandler Highway in Tyler, Texas and initiated the transfer at the station's Bitcoin ATM. That ATM was owned and operated by Paxful.

13. Westlock deposited \$15,000 USD into the machine, converting the currency into Bitcoin. Westlock then transferred the funds to the Bitcoin wallet requested by Johnson.²

14. Westlock had intended to transfer the full \$30,000 USD, but the ATM would only take \$15,000 at a time and would not allow any additional

² This wallet is Bitcoin Wallet 3L4MwAw9X5ksyeKcMw5V5eDTC04f2gdbdi. Following the transaction, the machine provided Mr. Westlock a receipt and a transaction ID number (EC965A7LAE).

funds to be sent on the same day. Westlock advised Johnson of this impediment, and despite Johnson's insistence that Westlock find another way to send the rest of the money that day, Westlock did not.

15. The next day, after further contemplating the situation, Westlock felt uneasy about the transaction. Johnson attempted to contact Westlock, but Westlock had his wife answer the phone and tell Johnson that he had fallen ill.

Subsequent Law Enforcement Efforts

16. Westlock decided to call the Smith County Sheriff's Office to file a report. He spoke with Officer Langlinois, who informed him that he had likely fallen victim to a scam and that he should cease communication with Johnson. Westlock expressed his desire to file charges against Johnson for the fraud.

17. About a week later, on March 4, 2022, Task Force Officer John Partlow of the Smith County Sheriff's Office served a Grand Jury Subpoena on Paxful for its records on Johnson's Bitcoin wallet. Paxful complied with the subpoena on March 28. Paxful records listed the owner of the above-

identified wallet as Vineet Singh Banga, an individual born June 23, 1989 and associated with Indian government ID #2182 1910 0980.

18. On March 29, TFO Partlow requested a hold on Banga's Paxful account. The next day, TFO Partlow received a seizure warrant in the 114th Judicial District Court of Smith County, Texas, and served it on Paxful that same day.

19. Approximately two months later, on May 21, 2022, Paxful transferred 0.51071532 Bitcoin to the above-identified Secret Service Bitcoin Wallet.

BASIS FOR FORFEITURE

20. The defendant real property, 0.51071532 Bitcoin, is subject to forfeiture pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 981(a)(1)(D) because it constitutes property involved in transactions or attempted transactions in violation of 18 U.S.C. § 1957 and/or is property traceable to violations of 18 U.S.C. § 1343.

POTENTIAL CLAIMANTS

21. The potential claimants to the defendant property are:

Robert Westlock
16287 Big Oak Bay Road
Tyler, Texas 75707

Vineet Singh Banga
b-148 Ganesh Nagar
New Delhi, Delhi, India 110018

CLAIM FOR RELIEF

22. The United States respectfully requests that the Court forfeit the defendant real property to the United States, award costs and disbursements in this action to the United States and order any other relief that the Court deems appropriate.

Respectfully submitted,

BRIT FEATHERSTON
UNITED STATES ATTORNEY

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ATTORNEYS FOR THE UNITED
STATES

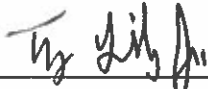
STATES

VERIFICATION PURSUANT TO 28 U.S.C. § 1746

I, Terry Gibson, hereby state that:

1. I am a Senior Special Agent with the United States Secret Service.
2. I have read this Complaint, and the information contained herein is true and correct to the best of my knowledge.
3. The information contained in this Complaint comes from the official files and records of the United States, statements from other law enforcement officers, and my investigation of the case.

I state and verify under penalty of perjury that the foregoing is true and correct.



Terry Gibson, Jr.
Senior Special Agent
United States Secret Service

Dated:

07/01/2022